

Application Serial No. 09/893,332  
Attorney Docket No. 60027.0017USU1/BS01039

### **REMARKS**

This Amendment is in response to the Final Office Action dated March 20, 2006. Claims 1-9, 11-12, and 14-22 are pending in this application. Claims 1-9, 11-12, and 14-22 were rejected. Claims 10 and 13 were previously cancelled. Continued examination and reconsideration based on this Amendment and the following remarks are respectfully requested.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 1-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al., U.S. Publication No. 2002/0059627A1, (hereinafter Thomas). This Final Office Action does not make a rejection based on Krebs, U.S. Patent No. 5,557,320 (hereinafter Krebs). Independent claims 1, 16 and 20 have been amended. Applicants respectfully submit that Thomas does not teach or suggest each and every feature recited in Applicants' amended independent claims 1, 16 and claim 20.

#### **Claim 1**

Applicants' claimed invention as recited in amended claim 1 is drawn to a media distribution device for selectively delivering media content to a media presentation device. The media distribution device comprises, among other features, (1) a local account data module containing an identification of a portion of the full stream of media content wherein only the portion is available for delivery to the media presentation device and (2) a local account manager capable of being locally accessed and operative to modify the identification of the portion available for delivery to the media presentation device without modification to the full stream of media content received from the media delivery service provider at the media adapter. The local account manager provides a customer access to media content that is part of an account of the customer and blocks access to media content that is not part of the account while the full stream of media content received at the media distribution device still includes the media content that is not part of the account thereby allowing the media distribution device to instantaneous deliver to the media presentation device only the portion that is part of the account without requiring a change to the account via interaction with a central customer account management center.

In contrast, Thomas describes systems and methods for providing storage of data on servers in an on-demand media delivery system. Specifically, Thomas discloses that media content delivered to the presentation device is the same as the media content received at the

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distribution device, for example a set top box. (See Thomas, pages 3-4 paragraph 55, page 4, paragraph 56). The Office Action also acknowledges that Thomas does not disclose in detail a local account manager modifying identification of the portion available for delivery to the media presentation device without modification to the full stream of media content received from the media delivery service provider at the media adapter. (page 3, Office Action). Still further, the Office Action admits that interaction with a remote server occurs when the customer selects a video on demand program. Applicants' claim 1 recites instantaneous delivery of only the portion that is part of the account without requiring a change to the account via interaction with a central customer account management center. Thus, amended claim 1 does not require "interaction with a remote server when selecting media content, as disclosed in Thomas. Thus, Thomas teaches away from claim 1. (See Thomas, paragraphs 77 and 78).

The Office Action also states that it would have been obvious to have incorporated local modules that control the local management of the media content received from the media delivery provider in order to provide a user with more control over viewing options and flexibility. Applicants' respectfully submit that claim 1 does not recite a local manager that controls what is received from the provider. Claim 1 recites a local manager that controls what is delivered to the media presentation device while the media content received from the provider at the media distribution device remains the same. Thus, the Office Action does not address the recitations of amended claim 1. At least for these reasons claim 1 is allowable over Thomas.

The "Response to Arguments" section of the Office Action, page 7, states that "the Applicant argued that Kerbs does not modify...without modification to the full stream ...received". The Office Action goes on to say as to Applicants arguments please see examiner rejection on line 3. Applicants respectfully submit that nowhere in the Office Action is a Kerbs or the Krebs reference addressed. Also as to user specific data comprising access rights reading on amended claim 1, Applicants submit that paragraphs 8 and 9 of Thomas only discloses access rights to certain content centrally made available. While the media content of Thomas is available via user equipment, it is the only content that resides on a user's local user equipment. (See Thoma, para. 8 and 9). In contrast, claim 1 has both available and unavailable portions that received at the media distribution device.

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#### Claim 16

Applicants' claimed invention as recited in amended claim 16 is drawn to a media distribution system operative to selectively deliver media content to a media presentation device. The media distribution system comprising, among other features, (1) a local account manager, local to the media distribution device, for modifying the portion of the media content stream identified in a local account data module. The media distribution device delivers to the media presentation device the portion of the media content stream modified by the local account manager and identified by the local account data module without any immediate changes to the media content stream received at the media distribution device from the media delivery service provider thereby allowing the customer to receive instantaneous delivery of only the portion of the media content that is part of the local account while the central account identifies a different portion of the media content stream selected for delivery than the local account.

As stated above, with respect to amended claim 1, because Thomas is deficient in disclosing a local account manager local to a media distribution device, where the media distribution device delivers to a media presentation device only the portion of the media content stream modified by the local account manager while the central account identifies a different portion of the media content stream selected for delivery than the local account. Thus, Thomas does not teach or suggest Applicants' amended claim 16. Amended claim 16 is allowable over Thomas.

#### Claim 20

Applicants' claimed invention as recited in claim 20 is drawn to a method for filtering a media content stream in accordance with subscriber preferences. The method comprises, among other acts, (1) locally blocking a portion of the media content stream not defined by the local account data module from the media presentation device without changing the media content stream received from the media delivery service provider and (2) transmitting the local stored account data module to update a central account management center after delivering the portion of the media content stream to the media presentation device thereby instantaneously delivering to the media presentation device only the portion defined by the local

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account data without requiring prior interaction with the central customer account management center.

As stated above, with respect to amended claim 1, because both Thomas is deficient in disclosing a local account manager local to a media distribution device, where the media distribution device blocks from a media presentation device the portion of the media content stream not identified by the local account data module without any immediate changes to the media content stream transmitted by the media delivery service provider. This allows the customer to receive instantaneous delivery of only the portion that is part of the local account without requiring interaction with the central customer account database.

As discussed above, even the Office Action acknowledges that Thomas discloses interaction with a remote server in order to select media content. (See Thomas, paragraphs 77 and 78).

Thus, Thomas does not teach or suggest Applicants' amended claim 20. Thus, amended claim 20 is allowable over Thomas.

#### Dependent Claims

At least because the recitation of claims 2-9, 11-12, 14-15, 17-19, and 21-23 are not taught by Thomas or Krebs alone, or in combination, and claims 2-9, 11-12, 14-15, 17-19, and 21-23 incorporate the features of allowable independent claims, claims 2-9, 11-12, 14-15, 17-19, and 21-23 are also allowable over Thomas in view of Krebs.

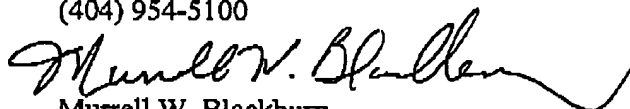
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**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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